

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Criminal No. 22-40 (JRT/LIB)**

UNITED STATES OF AMERICA,

Plaintiff,

v.

**(1) HARSHKUMAR RAMANLAL PATEL
a/k/a “Dirty Harry,”
a/k/a Harry Patel,
a/k/a Param Singh,
a/k/a Haresh Rameshlal Patel,
a/k/a Harshkumar Singh Patel, and
(2) STEVE ANTHONY SHAND,**

Defendants.

**GOVERNMENT’S NOTICE
OF INTENT TO OFFER
EVIDENCE UNDER
FEDERAL RULES OF
EVIDENCE 902(11), (13),
AND (14)**

The United States of America by and through its attorneys, Andrew M. Luger, United States Attorney for the District of Minnesota, Assistant United States Attorney Michael P. McBride and Trial Attorney Ryan Lipes, hereby gives notice of its intent to offer evidence under Federal Rules of Evidence 902(11), (13), and (14).

INTRODUCTION

Defendants Harshkumar Ramanlal Patel and Steve Anthony Shand have been indicted by a grand jury for, among other things, conspiring to bring aliens to the United States and transport aliens within the United States,

resulting in serious bodily injury and placing lives in jeopardy. Trial is set to begin on November 18, 2024.

The government anticipates moving for the admission of business records and cell phone extractions (or portions of cell phone extractions), which have been provided to the defense in discovery. This pleading provides notice of the government's intent to use declarations and certifications under Federal Rules of Evidence 902(11), (13), and (14).

I. Self-Authenticating Documents Under Rule 902(11)

The Federal Rules of Evidence allow for business records to be admitted in evidence at trial without a custodian of records testifying about their authenticity. *See* Fed. R. Evid. 902(11). Rule 902(11) also directs the party intending to offer a record in evidence under the rule to provide notice and to make the documents and declarations available to the opposing party.

Federal Rule of Evidence 104(a) provides that preliminary questions concerning the admissibility of evidence shall be determined by the Court, and that in making such determinations courts are “not bound by the rules of evidence” (except those with respect to privileges). The government seeks to admit the documents themselves and not the declarations.

Under Rule 902(11), the government hereby gives notice that its trial exhibits may include business records from the following entities, authenticated by a certification of the records custodian:

Entity	Summary of Records	Bates Number of 902(11) Certification	Bates Numbers of Underlying Records
T-Mobile US, Inc.	Subscriber, Call Detail, Cell Site, and Timing Advance Records for (386) 265-2408 and (646) 610-0618	695	667-733
T-Mobile US, Inc.	Subscriber, Call Detail, Cell Site, and Timing Advance Records for (386) 479-5315	735	734-754
Verizon	Subscriber, Call Detail, and Cell Site Records for (386) 209-1996	773	766-801
Bank of America	Bank of America accounts -1110 (Shand's Taxi, LLC), -0875 (Stephanie Brown), -1123 (Shand's Taxi, LLC), -3869 (Steve Shand), -7033 (Steve Shand and Stephanie Brown), and -8879 (Stephanie Brown)	5888-5889	5135-7079
Enterprise	Car rental records for Enterprise, Alamo, and National for Steve Shand	2012	622-629
Avis	Rental car records for Stephanie Brown	7366	7367
Hertz	Rental car records for Fenil Patel	2021	2027-2029

Delta	Shand's Delta records	617	503-515
Delta	Stephanie Brown's Delta records	7368	7369-7376
Southwest	Steve Shand's Southwest records	2045	632-641
Kittson Health Care	Medical records for victims P.C. and M.P.	1083	1082-1132
HealthPartners	Medical records for victim P.C.	1134	1133-1534
Capital One	Capital One account -2498 (Haresh Patel)	Certification provided by email; bates stamped version forthcoming	Records provided by email; bates stamped version forthcoming

As noted above, the certifications and the underlying records have been provided in discovery.

II. Self-Authenticating Records Under Rules 902(11), (13) and (14)

The Federal Rules of Evidence provide that certain records are self-authenticating through certification under Federal Rules of Evidence 902(13) and 902(14):

902(13) Certified Records Generated by an Electronic Process or System. A record generated by an electronic process or system that produces an accurate result, as shown by a certification of a qualified person that complies with the certification requirements of Rule 902(11) or (12). The proponent must also meet the notice requirements of Rule 902(11).

902(14) Certified Data Copied from an Electronic Device, Storage Medium, or File. Data copied from an electronic device, storage medium, or file, if authenticated by a process of digital

identification, as shown by a certification of a qualified person that complies with the certification requirements of Rule (902(11) or (12). The proponent also must meet the notice requirements of Rule 902 (11).

Under Rules 902(11), (13), and (14), the government hereby gives notice that its trial exhibits may include the following certified cell phone extractions, or portions of those extractions:

Extraction File Name	Summary of Extraction	Certification Exhibit Number	Certification Signed By
A12_2022-03-01_Report.ufdr	Steve Shand's Samsung Galaxy A12 with IMEI number 359011830852004, using the phone number (386)-209-1996	Exhibit 1	Special Agent Jesse Smith
G991U_2022-03-02_Report.ufdr	Steve Shand's Samsung Galaxy S21 Model SM-G991U with IMEI number 350336260884618, using the phone number (386)-479-5315	Exhibit 1	Special Agent Jesse Smith
GK24-0025 iPhone 13 Pro-Max.ufdr	Harshkumar Patel's Cell Phone	Exhibit 2	Lisa Gemar

These cell phone extractions have all been turned over as native media (via flash drive or hard drive) in discovery. Should counsel need a new copy, please contact us at your earliest convenience.

These certifications, in compliance with Federal Rules of Evidence 902(11), (13), and (14), are attached to this notice as Exhibits 1 and 2.

CONCLUSION

The government hereby provides notice of its intent to introduce business records and cell phone extractions through Rule 902(11), (13), and (14) declarations.

Dated: October 21, 2024

Respectfully submitted,

ANDREW M. LUGER
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